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PINOLEVILLE POMO NATION, et al.

**UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA**

PINOLEVILLE POMO NATION,
PINOLEVILLE POMO NATION
ENVIRONMENTAL ASSOCIATION AND
LEONA WILLIAMS,

Case No.: C 07 2648

**PROPOSED ORDER GRANTING
INJUNCTIVE RELIEF**

Plaintiffs.

Date: 06/25/08

Time: 1:30 P.M.

Dept: Courtroom C, 15th Floor

Judge: Susan Illston

UKIAH AUTO DISMANTLERS, WAYNE
HUNT ISABEL LEWRIGHT, WARRIOR
INDUSTRIES, INC., RICHARD MAYFIELD,
ROSS JUNIOR MAYFIELD, PAULA
MAYFIELD, KENNETH HUNT, U.S.
ALCHEMY CORPORATION AND DOES 1-
50, INCLUSIVE.

Defendants.

The application of plaintiffs PINOLEVILLE POMO NATION, PINOLEVILLE POMO NATION ENVIRONMENTAL ASSOCIATION AND LEONA WILLIAMS having come on regularly for hearing, the Court having reviewed the documents and papers on file herein and having heard the argument of counsel, and good cause appearing therefore:

Based on the foregoing authorities, Plaintiff the Pinoleville Pomo Nation, et al, respectfully requests that this Court issue an order requiring MAYFIELD site operator (Rick

1 Mayfield) to Cease and Desist from all industrial operations at MAYFIELD sites within the
2 exterior boundaries of the PINOLEVILLE POMO NATION pending completion of the
3 following requirements:

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- 5 i) Retain licensed engineer or licensed geologist and lodge CV or resume with Court and
PPN Tribal Council.
 - 6 ii) Provide access for PPN Tribal Council TO MAYFIELD site over 60 days for
PLAINTIFFS sediment and soil testing and further and extensive testing as
contemplated in Declaration of Joaquin Wright of KENNEC INC EARTH
ENGINEERING & SCIENCE.
 - 7 iii) Under supervision of licensed engineer or licensed geologist, remove all contaminated
soil off MAYFIELD site until all hazardous materials and or constituents are below
CAL EPA MCL limits, legally and properly, and in compliance with all state and
federal regulations, and in a manner when moving dirt about, not to create hazards
such as airborne particles such as lead. Provide manifest and written documentation
to Court and PPN Tribal Council as to transportation and destination of contaminated
soil.
 - 8 iv) Put down Asphalt where industrial operations are contemplated.
 - 9 v) Submit plan for Best Management Practices (BMP) to prevent pollution and illegal
discharge of pollution certified and prepared by a licensed engineer or licensed
geologist to be lodged with Court and PPN Tribal Council.
 - 10 vi) Implement BMP'S verified through initial inspection by PPN Tribal Council in order to
resume industrial operations, and then twice monthly monitoring for compliance over
12 month period by PPN Tribal Council.

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14 IT IS HEREBY ORDERED that plaintiffs' application for Preliminary Injunction is GRANTED

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18 DATED: _____

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22 THE HONORABLE SUSAN ILLSTON
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24 UNITED STATES DISTRICT COURT JUDGE
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